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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ARA KIMBROUGH :
 :
-v.- : NO. 24-CV-044
 :
BUCKS COUNTY, LAUREN SMITH :
SHAE RANDOLPH AND DAVID KRATZ :



****DEPOSITION****

DEPONENT: Ara Kimbrough
DATE: Tuesday, February 18, 2025
TIME: 11:44 a.m.
PLACE: 55 East Court Street, Room 432
Doylestown, PA
REPORTER: Ted Allen
SOLICITOR: Jaclyn C. Grieser

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A P P E A R A N C E S:

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(Exhibits marked and attached to transcript.)

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1 (It is stipulated and agreed by and among counsel for
2 the respective parties that the reading, signing, sealing
3 and filing of the transcript is waived, and that all
4 objections, except as to the form of the questions, are
5 reserved until the time of the trial.)

6 ---

7 ARA KIMBROUGH was called as a witness and after
8 having been first duly sworn, according to law, was examined
9 and testified as follows:

10 --- EXAMINATION ---

11 BY MS. GRIESER:

12 Q. Can you please state your full name for
13 the record.

14 A. It's Ara J. Kimbrough.

15 Q. And how do you spell your last name?

16 A. K-I-M-B-R-O-U-G-H.

17 Q. Have you ever given a deposition before?

18 A. I believe once.

19 Q. Once, okay. There's just a few ground
20 rules that I'm going to go over with you to start --

21 A. Okay.

22 Q. -- just so we're both on the same page.

23 MS. GRIESER: First I guess usual stipula-
24 tions, Mr. Mansour?

25 MR. MANSOUR: Yes, objections only as to

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1 form and privilege, the remainder being re-
2 served for trial.

3 BY MS. GRIESER:

4 Q. So you understand this is as if we were in
5 court, right?

6 A. Yes, ma'am.

7 Q. The testimony that you've giving today?

8 A. Yes, ma'am.

9 Q. And your testimony is being recorded, so
10 all of your answers need to be verbal. You don't
11 want to shake your head or nod or anything like
12 that. You want to be able to say it out loud so
13 that our court reporter can accurately transcribe
14 everything that we talk about today.

15 A. Yes, ma'am.

16 Q. If you don't understand one of my ques-
17 tions, please ask me to rephrase it, okay. We don't
18 want you to guess. If you don't know, you don't
19 know and that's a perfectly fine answer.

20 A. Yes, ma'am.

21 Q. If you need a break at any time to, you
22 know, use the restroom, talk to your attorney that's
23 fine. The only thing I ask is that you -- If I have
24 posed a question to you, that you go ahead and fin-
25 ish answering that question before we take that

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1 break.

2 A. Yes, ma'am.

3 Q. You understand that if you are -- I went
4 over that one already, okay. Do you understand that
5 if you answer a question, I'm going to assume that
6 you understood that question as I said it?

7 A. Yes, ma'am.

8 Q. Are you taking any medication today?

9 A. No, ma'am.

10 Q. Are you experiencing any condition today
11 that might affect your ability to give accurate tes-
12 timony?

13 A. No, ma'am.

14 Q. Have you spoken with anybody about this
15 deposition today besides your attorney?

16 A. No, ma'am.

17 Q. I'm going to -- I'm going to be asking you
18 to look at a couple of documents throughout the, our
19 deposition here. And I just want you to know we're
20 going to have to mark it first, and then I'm hand --
21 I'm going to go ahead and hand it to you, okay?

22 A. Yes, ma'am.

23 Q. All right. And Mr. Mansour has the right
24 to object, and he will cue you as to -- You have,
25 you still have to answer the question unless it gets

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1 into privileged information, okay. So Mr. Mansour
2 will say you can go ahead and answer the question or
3 don't answer that question, okay?

4 A. Yes, ma'am.

5 Q. All right. Do you have any questions be-
6 fore we get into the meat of it?

7 A. No, ma'am.

8 Q. All right. How long were you employed at
9 the Bucks County Confinement Facility?

10 A. About five days short of sixteen years.

11 Q. How did you -- Did you start off as a cor-
12 rectional officer?

13 A. Yes, ma'am.

14 Q. And we were just talking about before off
15 the record, you were in the Navy for four years?

16 A. Yes, ma'am.

17 Q. Tell me about how you worked your way up
18 through the ranks in the Bucks County Confinement
19 Facility.

20 A. I applied as an officer. I was selected
21 and just under two years, I was promoted into the
22 records office. I worked approximately three years
23 in the records office, and I was promoted to admini-
24 strate -- administrative hearing officer. I was the
25 administrative hearing officer for approximately

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1 five years, and then in February of 2018 I was pro-
2 moted to administrative lieutenant.

3 Q. When did you make lieutenant?

4 A. February 2018.

5 Q. Were you a sergeant --

6 A. No, ma'am.

7 Q. -- in between here at all, no? What do
8 you have to do to become a lieutenant?

9 A. For what I had to do to become a lieuten-
10 ant was I had to take a test, and I had to inter-
11 view.

12 Q. What does the test test you on?

13 A. A range of things, a lot pertaining to the
14 records department.

15 Q. Was it a specific test for the records,
16 for the admin lieutenant records or is part, part of
17 the records -- at least part of it for every LT?

18 A. I believe there is a records piece for
19 everybody, but I believe this was a specific test.

20 Q. Okay. Before you become a records officer
21 is there any specialized training that you need to,
22 to undertake?

23 A. To become a records officer or to promote
24 to records officer?

25 Q. To be to work in records. So when you

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1 started as a CO for two years, and then you went
2 into records for three years, were you still a CO
3 when you went into records?

4 A. Yes, I was a CO, but I was a records CO.

5 Q. What made you a records CO?

6 A. I'm sorry?

7 Q. What made you a records CO?

8 A. Again I took a test and I did an inter-
9 view.

10 Q. But that's not usual for every position at
11 the confinement facility is it?

12 A. No, ma'am.

13 Q. Having to test, okay. Do you have to take
14 a test to become a sergeant?

15 A. Yes, ma'am.

16 Q. Do you interview to become a sergeant?

17 A. Yes, ma'am.

18 Q. Approximately so you became the admin lie-
19 utenant of the records department, that put you in a
20 supervisory role; is that right?

21 A. Yes, ma'am.

22 Q. So all in all you were in the records dep-
23 artment for -- help me out with my math here.

24 A. Roughly eight years.

25 Q. Eight years, okay. And at any given time

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It

1 how many records officers were there under you?
2 probably ebbed and flowed but --

3 A. Eight to ten.

4 Q. And tell us a little bit about your res-
5 ponsibilities as the admin lieutenant of the records
6 department.

7 A. Um, all new commitments, all discharges,
8 court movement, transfers, bail acceptance, sexual
9 offender registrations, sentencing computation, ord-
10 ers, that all went through records. I also oversaw
11 the reception department so again any, any new com-
12 mitments coming in, any discharges going out, any
13 court movement, any transfers they went through that
14 unit. Obviously in that unit we were, you know we
15 would do the booking process. We handled property,
16 money, uh, again court movements.

17 And then I also oversaw the actual intake,
18 uh, module where all the new commitments go would be
19 housed for a kind of isolation period. It's probab-
20 ly not the right word but it's -- I'm drawing a
21 blank on it -- a quarantine period if you will. Um,
22 and there were, there could be approximately ninety
23 inmates on that block and staff and then they have,
24 there is also a nurse's office in that unit.

25 Q. And correct me if I'm wrong, but actually

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1 the physical records office is across the hall
2 from --

3 A. The reception, yes.

4 Q. Reception, okay. So a constable would
5 come in with a new commitment, give you, you or
6 somebody in your office paperwork?

7 A. First day we give it to the main control,
8 then they would give it to us, and then if every --
9 If everything was acceptable then we would allow
10 him, them, excuse me. Then a nurse would come
11 screen him, and then if everything was acceptable
12 then we would -- then we would send him into the
13 reception unit.

14 Q. And at the time of your termination what
15 was your typical shift? Were you --

16 A. Uh, generally 8 to 4.

17 Q. So is it fair to say that you, you train
18 and mentor people who are under you?

19 A. Yes, training was part of the position.

20 Q. It sounds like you're one of the most ex-
21 perenced officers in the confinement facility; is
22 that fair to say?

23 A. There are people that are there thirty,
24 thirty-five years.

25 Q. And not all of them are records officers,

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1 correct?

2 A. No, that's yes, that's correct.

3 Q. Out of the records and intake unit you
4 were the most experienced; is that right?

5 A. No, there were people that were there lon-
6 ger than me as well.

7 Q. They just happen to be COs, happen to stay
8 COs?

9 A. Mm-hmm.

10 Q. Okay.

11 A. That's correct.

12 Q. You received a lot of positive feedback,
13 right, throughout your career?

14 A. Yes.

15 Q. And you know the facility's policies and
16 procedures well?

17 A. Yes.

18 Q. You follow those policies and procedures?

19 A. Yes, ma'am.

20 Q. Would you say you're confident in your ab-
21 ility to carry out your duties?

22 A. Yes, ma'am.

23 Q. Would you say you hold yourself to a high
24 standard of professionalism?

25 A. Yes, ma'am.

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1 Q. You don't cut corners, take shortcuts in
2 any of your duties?

3 A. No, ma'am.

4 Q. You're also responsible for reporting any
5 violations that you believe happened that that you
6 saw occur?

7 A. Yes, ma'am.

8 Q. By other COs and that type of thing?

9 A. Yes, ma'am.

10 Q. All right. What happens if you, if you
11 catch, catch a violation from another CO? Or ano-
12 ther CO, excuse me, another CO breaking the rules or
13 doing something that they shouldn't do?

14 A. They, well, it depends on the violation.

15 Q. Okay. Give me an example of a violation
16 that you might notice and report, it can be totally
17 hypothetical.

18 A. Uh --

19 Q. What about somebody failing to do their
20 rounds?

21 A. Yeah, that could be a violation.

22 Q. Okay. Let's say you caught somebody fail-
23 ing to do their rounds, what would you do if you
24 were there, if that person was your subordinate?
25 Like say at an intake unit somebody forgot to do

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1 their rounds or just didn't do their rounds and you
2 found out about it, what's the process after that?

3 A. Well, there isn't a standardized process.
4 I would probably talk to the individual, find out
5 you know what happened the, you know the reasoning
6 or circumstances on why they didn't do it. I'd pro-
7 bably counsel them to make sure they complete their
8 rounds, and then I'd document it in the shift report
9 to let the administration know that it happened and,
10 um, I addressed it by counseling.

11 Q. Now, you said that you were the hearing
12 officer for a number of years?

13 A. Yes, ma'am.

14 Q. What is a hearing officer?

15 A. Um, they conduct hearings for institutio-
16 nal misconducts of inmates, they also hear adminis-
17 trative appeals of employee discipline. They re-
18 ceive the attendance and points policy, and they're
19 the PREA compliance manager.

20 Q. And just for the benefit of the record,
21 what does PREA stand for?

22 A. Prison Rape Elimination Act.

23 Q. So essentially you're a type of judge; is
24 that fair to say?

25 A. I, I don't think it's judge is accurate.

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1 Q. Yeah.

2 A. I was, I would just make a determination
3 on again you know inmate misconducts, um, and then
4 the appeals. I guess it's more, it's more of ap-
5 peals 'cause they're the -- The punishment's already
6 been decided and you're just, um, making a decision
7 on whether it's, it was justified or not.

8 Q. Now the disciplinary appeals, is that
9 available for all correctional officers or only
10 those? I know you have at least two unions down
11 there at the confinement facility; is it just union-
12 ized?

13 A. Yes, that's correct.

14 Q. So mainly unionized employees get the ben-
15 efit of an appeal?

16 A. Yes, ma'am.

17 Q. All right. I'm going to show you a couple
18 of these policies here, and I'm showing these to
19 you. We have an outstanding protective order, a
20 motion for a protective order in this case, but Mr.
21 Mansour was good enough to agree to a confidentiali-
22 ty agreement regarding these policies and SOPs.

23 A. Okay.

24 MS. GRIESER: Okay, all right. This is
25 fifteen?

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1 MR. MANSOUR: Fourteen I think.

2 MS. BURNS: Did you mark them?

3 MS. GRIESER: Can we go off the record one
4 second.

5 (Discussion off the record.)

6 BY MS. GRIESER:

7 Q. I'm handing you D-1 which is Bates stamped
8 COB0727 to COB0728, so it's a two-page document the
9 title of which is records officer, and it is Policy
10 No. Bravo Tec 3.15. Can you go ahead and take a
11 look at that and read through it.

12 (Whereupon Exhibit No. D-1 was so marked for
13 identification being a document, Records Officer.)

14 BY MS. GRIESER:

15 Q. When you're done you can give it back.
16 Did you have enough time, I didn't -- I didn't mean
17 to cut you short there.

18 A. Nope.

19 Q. Okay. Does this document fairly and accu-
20 rately reflect the duties of a records officer as
21 you know them?

22 A. Yes, ma'am.

23 Q. You'd agree with me that number -- Para-
24 graph No. 15 states that, "The records officer
25 should ensure that confidential information regard-

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1 ing inmates is not released to the public or media"?

2 A. Yes.

3 Q. And then I'm going to hand you D-2. This
4 is what happens when your paralegal doesn't come in.
5 We can mark this D-2, thank you. You can go ahead
6 and hand it back the other one, thank you. And the
7 same thing, you can go ahead and read through that.
8 This is COB0727 to COB07 -- no, I beg your pardon.

9 It's COB0725 to COB0726 -- again another two-page
10 document -- entitled Reception and Records Unit Sup-
11 ervisor, Section B3.14.

12 A. Okay.

13 (Whereupon Exhibit No. D-2 was so marked for
14 identification being a document, Reception and Records Unit
15 Supervisor.)

16 BY MS. GRIESER:

17 Q. You'd agree with me that Paragraph 1 char-
18 ges you with having a thorough and working knowledge
19 of all post orders, policies, procedures and depart-
20 mental directives?

21 A. Yes.

22 Q. And Paragraph 5 reflects that you should
23 be prepared to assume any reception or records offi-
24 cer duty?

25 A. Yes.

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1 Q. Why is that; why should you be prepared to
2 assume any reception or records officer's duties?

3 A. I think all supervisors are required to
4 assume duties.

5 Q. I'm sorry, I didn't --

6 A. I think all supervisors are required to
7 assume duties if there's a need.

8 Q. So you or any of your records officers --
9 Well, you or any of your records officers, if they
10 were short in intake across -- reception across the
11 hall, you could step in there and fill that, fill an
12 extra role?

13 A. Yes, I could.

14 Q. What type of information did you have?
15 And I can go ahead and take that back from you,
16 thank you. What type of information like national
17 databases did you have access to as the records off-
18 icer supervisor and admin supervisor?

19 A. We had the JNET and NCIC.

20 Q. What's JNET?

21 A. Um, I, um --

22 Q. You don't have to tell me what the acronym
23 is.

24 A. Yes.

25 Q. But just generally what kind of informa-

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1 tion is contained there?

2 A. Um, if you're going to check for a release
3 on somebody, or if somebody comes in you could run
4 their pedigree information and see if they have a
5 warrant or see their criminal history.

6 Q. And what about NCIC?

7 A. It's the same thing.

8 Q. What's the difference between the two?

9 A. Um, one the JNET is you access it on a
10 computer by just putting in information. NCIC you
11 physically fingerprint somebody in their informa-
12 tion.

13 Q. Okay. So you fingerprint somebody and you
14 run, you put that in NCIC?

15 A. Yeah, it yeah, it makes sense. The NCIC
16 yes.

17 Q. Okay, so anything -- Had that person, had
18 that inmate come in or had been arrested before, his
19 fingerprints would theoretically match up with his
20 prior arrest in NCIC?

21 A. Yes.

22 Q. Am I understanding that correctly? Okay,
23 thank you. What type of files and servers were, did
24 you have access to in the BCCF system?

25 A. We have access to the OMS, the offender

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1 management system.

2 Q. What about like investigations?

3 A. No.

4 Q. Would you still have had access to the
5 hearing officer information?

6 A. No, ma'am.

7 Q. Did you have any -- I assume you kept some
8 files somewhere related to records and reception; is
9 that fair?

10 A. We kept the records files, yes, ma'am.

11 Q. Did you keep any training materials any-
12 where?

13 A. No, not really.

14 Q. I'm going to show you another document
15 it's towards the top. I'll mark this as Delta-3,
16 you can go ahead and take a look at that. This is
17 COB0425 to COB0427 titled Staff Training, Section
18 A-2.6.

19 (Whereupon Exhibit No. D-3 was so marked for
20 identification being staff training.)

21 BY MS. GRIESER:

22 Q. Just so we can speed things up a little
23 bit can you -- I'm going to draw your attention to
24 Paragraph 3 on page 2.

25 You would've been considered more in the

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1 facility as administrative or managerial staff; is
2 that right?

3 A. Yes, ma'am.

4 Q. And beyond your forty years or forty
5 years -- forty hours or orientation, if you were new
6 to the facility obviously you went through -- You
7 don't call it basic, what do you -- what do you,
8 what do you call it where you first --

9 A. Um, I don't know.

10 Q. Cadet?

11 A. Yeah.

12 Q. Like academy?

13 A. Yeah.

14 Q. Okay, like the academy?

15 A. Yeah.

16 Q. Beyond the academy this paragraph requires
17 that you take an additional forty hours of manage-
18 ment training each year; is that right?

19 A. That's what it, yeah, that's what it said.
20 We didn't have management training.

21 Q. You never did any management training?

22 A. No.

23 Q. Were you aware that you were required to
24 do the management training forty hours?

25 A. No, I was not.

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1 Q. No, okay.

2 A. I don't, I don't believe any of the mana-
3 gers did forty hours of managing, manage -- manage-
4 ment specific training there, I'm sorry.

5 Q. And I'm going to draw your attention to
6 the third page, this is Paragraph 3 Charlie.

7 A. Okay.

8 Q. And you'd agree with me that this charges
9 you as supervisory staff to provide training to your
10 subordinates?

11 A. Yes.

12 Q. And did you do that?

13 A. Yes.

14 Q. How?

15 A. Um, like it said we have the roll call,
16 roll call training. We go over any, anything new,
17 any updates. Um, we work with the clerk of courts,
18 we did training with them as well.

19 Q. All right. I'm going to go ahead and take
20 that back from you, thank you. Do you know what the
21 CLEAN system is?

22 A. That's NCIC.

23 Q. NCIC?

24 A. Yeah, it's NCIC CLEAN.

25 Q. Did you have to do training for to keep

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1 access to NCIC or JNET?

2 A. Yes.

3 Q. What kind of training?

4 A. It was internet based training.

5 Q. And did you perform that training?

6 A. Yes, ma'am.

7 Q. What sort of training was it; what did it
8 go over?

9 A. I don't remember specifically.

10 Q. Generally?

11 A. It was the rules of using the CLEAN sys-
12 tem.

13 Q. Do you re -- Do you recall any of those
14 rules?

15 A. Not off the top of my head, no, ma'am.

16 Q. And at the time of your termination you
17 had an up-to-date CLEAN certificate; is that what
18 you're saying?

19 A. No, that's not correct.

20 Q. No. So you were, it's required that you
21 do this training in order to continue access to
22 NCIC; is that right?

23 A. That's correct.

24 Q. And so you didn't have ac -- you didn't
25 have --

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1 A. There is an issue with my account. There
2 are two people that served as a liaison for JNET
3 CLEAN, and that was Dir. Kratz and one of the inves-
4 tigators, Dan Onisick. Dan couldn't fix my account,
5 and I emailed Dir. Kratz a few times about it, but I
6 didn't -- I didn't get that, it didn't get resolved.

7 THE REPORTER: Excuse me, is that Dan
8 what's his last name, Osnick?

9 THE WITNESS: Onisick, O-N-I-S-I-C-K.
10 BY MS. GRIESER:

11 Q. We'll come back to that, okay. I'm going
12 to move on to the investigation that HR conducted
13 between like February/May of 2024.

14 A. Okay.

15 Q. Do you recall that?

16 A. Yes, ma'am.

17 Q. And that was an investigation into there
18 was an anonymous complaint made regarding your be-
19 havior at work; is that correct?

20 A. Yes, ma'am.

21 Q. And the complaint was that you were creat-
22 ing a hostile work environment?

23 A. Yes, ma'am.

24 Q. And you're aware that that was founded,
25 that that investigation was founded?

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1 A. That they said it was founded, yes, ma'am.

2 MS. GRIESER: Okay. I don't believe we
3 marked the employment investigation document,
4 correct? I think it was just the fact finding?

5 MR. MANSOUR: The notice yeah.

6 MS. GRIESER: Yeah, okay.

7 MR. MANSOUR: No, I think we did.

8 MS. GRIESER: We did? We can go off the
9 record for a second.

10 (Discussion off the record.)

11 MS. BURNS: Go back on the record.

12 BY MS. GRIESER:

13 Q. I'm handing you what's been pre -- Well,
14 marked as P-7 it begins at COB1085 and goes to
15 COB1088. Whenever you feel you've had sufficient
16 time to take a look at it, just indicate you're
17 ready.

18 A. Okay.

19 Q. Have you seen that document before?

20 A. No, ma'am.

21 Q. And you've had enough time to read through
22 it?

23 A. Yes, ma'am.

24 Q. So you'd agree with me that it was found
25 that that you created a hostile work environment

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1 particularly for the sergeants and other lieuten-
2 ants?

3 A. I don't agree it's founded, but I agree
4 that you're saying it's founded.

5 Q. That's what's reflected in this document?

6 A. That you're saying it's founded, yes, I
7 understand that.

8 Q. And when you say you, you mean the county?

9 A. Yes, ma'am.

10 Q. Okay. And that many sergeants felt like
11 they were walking on eggshells around you?

12 A. That's what the document says.

13 Q. And that you had a tendency to question
14 the sergeant's decision making and threatened to
15 watch them on the cameras?

16 A. That never happened.

17 Q. But that's what the, that's what the --

18 A. That's what the document says, yes.

19 Q. That's what's reflected in this document
20 P-7, okay. I want you to hold on to that for a sec-
21 ond. I'm going to show you what's previously marked
22 as P-8 and I'll hand that to you, take a look at
23 that.

24 Do you recognize that document?

25 A. Yes, ma'am.

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1 Q. And that document indicates that you were
2 to have a fact finding hearing on May 30th?

3 MR. MANSOUR: Objection to form.

4 BY MS. GRIESER:

5 Q. What day were you supposed to have your --

6 MR. MANSOUR: You can answer the question.

7 THE WITNESS: Yes, ma'am.

8 BY MS. GRIESER:

9 Q. And did you indeed have your fact finding
10 hearing on the 30th of May, 2024?

11 A. I don't believe so.

12 MR. MANSOUR: Can we go off the record for
13 a second.

14 MS. GRIESER: Sure.

15 (Discussion off the record.)

16 BY MS. GRIESER:

17 Q. All right. I'm going to hand you P-10
18 which has, is also a notice of fact finding meeting
19 and with a different date on it, and it is COB2785
20 and 2786.

21 A. Okay.

22 Q. Do you recall getting one or both of
23 those?

24 A. Yes, ma'am.

25 Q. And did you -- Did the fact finding hear-

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1 ing that occurred happen in May or June to the best
2 of your recollection?

3 A. I don't, I don't recall. I spoke with HR
4 and legal twice.

5 Q. Okay.

6 A. I don't remember the specific dates.

7 Q. Do you recall asking for some more time to
8 get your materials together?

9 A. Yes.

10 Q. Do you believe that it was the earlier of
11 the two dates, or it was the later of the two dates?

12 A. I don't recall.

13 Q. You don't recall, okay. I'll take those
14 back from you.

15 A. All of them?

16 Q. Yes, okay. So around May 30th you were
17 informed of a fact finding meeting was going to
18 occur, correct?

19 A. Yes.

20 Q. And at that time you had no indication as
21 to what leadership or HR felt would be the appropri-
22 ate discipline for you; is that right?

23 A. Correct.

24 Q. I'm going to hand you back P-7 which is
25 the investigative report, and ask you to flip to the

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1 last page.

2 So on or about May 30th at that time, you
3 didn't realize that that the chain of command, HR
4 and the COO, they were leaning towards giving you a
5 step one and a mentorship program; is that right?

6 A. That's correct.

7 Q. I'll go ahead and take that back, okay.
8 So around, around May 30th you called Attny. Brian
9 Zeiger; is that right?

10 A. Yes, ma'am.

11 Q. Why did you call him around the 30th of
12 May?

13 A. I believe right before that, one of the
14 officer, officers posted in reception he had to
15 fight an inmate who attacked him all by himself. I
16 had previously complained to DOC administration
17 about them pulling, about other supervisors pulling
18 staff out of the reception unit. And I also told,
19 um, human resources and the law department and it
20 was still continuing.

21 Q. You didn't tell the law department or HR
22 until you were interviewed for the bullying investi-
23 gation; is that right?

24 A. That's correct.

25 Q. So you're notified of a fact finding hear-

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1 ing regarding this bullying investigation, and you
2 decide that's the right time to call Attny. Brian
3 Zeiger?

4 A. Yes.

5 Q. And why did you call Attny. Brian Zeiger?

6 A. Again because I felt there was a very dan-
7 gerous situation that wasn't being addressed.

8 Q. Do you recall having, having an interview
9 with Attny. Dan Grieser here at the county along
10 with the director of human resources, Lauren Smith?

11 A. Yes, ma'am.

12 Q. Do you recall telling them at the time
13 that you were just venting to Brian Zeiger?

14 A. No, I don't re -- I don't recall that.

15 Q. So if Lauren Smith had taken notes and
16 said that you said in that meeting that you were
17 just venting, that would be incorrect?

18 A. I don't, I don't recall saying that.

19 Q. Why Attny. Zeiger?

20 A. He was representing the Estate of Inmate
21 Patterson.

22 Q. How did you know that?

23 A. I, I saw it in an article online.

24 Q. How did you get his phone number?

25 A. I looked it up.

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1 Q. You called his cellphone?

2 A. I called his office phone.

3 Q. You called in the evening, correct?

4 A. Yes, ma'am.

5 Q. From your home?

6 A. From my cellphone.

7 Q. From your cellphone?

8 A. Yes, ma'am.

9 Q. From your home?

10 A. I don't remember if I was specifically at
11 home, but I was not at work.

12 Q. I'm sorry, what was the last part?

13 A. But I was not at work.

14 Q. You were, okay, you were not work. So
15 you're saying that you were able to look up Attny.
16 Zeiger's cellphone number?

17 MR. MANSOUR: Objection to form.

18 THE WITNESS: No, I believe I called his
19 office.

20 BY MS. GRIESER:

21 Q. You got off work at 1600, 4 p.m.?

22 A. That's correct.

23 Q. And how long does it take for you to get
24 home?

25 A. Ten minutes.

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1 Q. And you happened to catch Attny. Zeiger in
2 his office?

3 A. I believe I left a message.

4 Q. And do you believe you left a message
5 or --

6 A. Yes, I believe I left a message.

7 Q. Okay. And then did you call him again a
8 second time?

9 A. No, not that I recall.

10 Q. He called you back?

11 A. Yes.

12 Q. Do you recall speaking again in the same
13 interview with Attny. Dan Grieser and Lauren Smith
14 that you were friends with Brian Zeiger?

15 A. I don't know. I can't say friends, I
16 think I said I knew him from working in records.

17 Q. Do you recall telling Lauren Smith and
18 Attny. Dan Grieser that you were just venting?

19 A. No, no, I don't recall saying that.

20 Q. So if Lauren Smith took notes indicating
21 that you knew him from your work, correct, that
22 would be right?

23 A. I believe so, yes.

24 Q. That she writ -- she wrote you were just
25 venting, you're telling me that that would be a lie?

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1 A. I never said it was a lie, I said I don't
2 recall saying that.

3 Q. You don't recall saying that?

4 A. I don't recall saying venting, no.

5 Q. Okay. And telling Lauren Smith and Attny.
6 Dan Grieser that you had his number from knowing him
7 previously?

8 A. Yeah, I did, I did have a Zeiger in my
9 phone. When I tried it, it did not go to anybody
10 name Zeiger.

11 Q. I'm sorry?

12 A. It didn't go to any, it didn't go to Mr.
13 Zeiger. I had to then look it up.

14 Q. So you had a Zeiger as a contact in your
15 phone?

16 A. Mm-hmm.

17 Q. I'm sorry, you have to say yes.

18 A. Yes, ma'am, sorry.

19 Q. And you tried that contact?

20 A. Mm-hmm.

21 Q. And I'm sorry --

22 A. Yes, ma'am, I'm sorry.

23 Q. That's okay, it can be hard to remember.
24 And somebody picked up?

25 A. I believe so.

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1 Q. And it wasn't --

2 A. They had no idea who I was talking about,
3 so I just figured it was an old number.

4 Q. What would make you look for his number in
5 your contacts on your personal cellphone?

6 A. 'Cause I, I had his number, or I believed
7 I had his number.

8 Q. Why would you have had his number on your
9 personal cellphone?

10 A. I have a bunch of attorneys' phone numbers
11 from when we were when working in records. I didn't
12 have a company phone, so I just stored them in my
13 personal phone.

14 Q. So you used your personal phone regularly
15 to contact attorneys for work?

16 A. I wouldn't say regularly, I'd say occa-
17 sionally.

18 Q. Did you also use your personal cell to ac-
19 cess email?

20 A. Yes.

21 Q. County email?

22 A. Yes, ma'am.

23 Q. And I don't know, did you ever work from
24 home from a computer?

25 A. Yes, ma'am.

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1 Q. Did you use your phone for the, to factor
2 authentication in order to --

3 A. Yes, ma'am.

4 Q. Did you have Teams on your cellphone?

5 A. I don't recall ever using Teams.

6 Q. You don't regularly use Teams for work?

7 A. No.

8 Q. But you would get emails on your personal
9 phone?

10 A. Yes, ma'am.

11 Q. And you sometimes make phone calls to at-
12 torneys for work?

13 A. We'd get phone calls from attorneys for
14 work.

15 Q. And that's because you sometimes have to
16 contact them outside of work hours?

17 A. Yes, or they would contact me during work
18 hours on my cellphone if I wasn't at my desk, judges
19 would, other departments.

20 Q. And you're aware that in the -- I'm sorry,
21 for lack of a better title for it, the bullying in-
22 vestigation?

23 A. Mm-hmm.

24 Q. Say yes.

25 A. Sorry, yes.

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1 Q. You're aware that it was reported that you
2 would call in to move personnel around even when you
3 were off duty?

4 A. I understand that's what it was reported
5 in the report, yes.

6 Q. Did you do that?

7 A. No.

8 Q. You never called to move people around
9 when off duty?

10 A. I didn't, I didn't call in to move them
11 around, again I was essentially on the clock twenty-
12 four hours. If there's a records or reception
13 issue, I would get a phone call about it. In this
14 particular instance an officer emailed about the one
15 that's referred to in the -- in the investigation.
16 Is an officer emailed me that she had, against the
17 DOC administration orders that she had been double
18 blocked on a high acuity post, and this was the sec-
19 ond or third day in a row --

20 Q. And what --

21 A. -- that this, this has been happening.

22 Q. And what CO was that?

23 A. Um, I'm sorry, I'm terrible with names.

24 Um, gosh, I'm sorry. I'm drawing a blank, I'm

25 not --

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1 Q. Female/male?

2 A. It's a female.

3 Q. Female, was she black/white?

4 A. Black.

5 Q. Do you recall her working at BCCF for a
6 long time or short?

7 A. No, she was a probationary employee.

8 Q. Okay. And probationary means within the
9 first year?

10 A. The first year, yes, ma'am.

11 Q. So this CO called you while you were off
12 duty?

13 A. No, ma'am, she emailed me.

14 Q. Oh, I'm sorry, I'm sorry. She emailed you
15 and you got that on your phone --

16 A. Yes.

17 Q. -- presumably, yes? Okay. And what did
18 you do at that point?

19 A. I called in to -- I first tried to get
20 ahold of the lieutenant and he wasn't at his sta-
21 tion, so then I called into a sergeant and I spoke
22 with him. And I said are you aware of that we're
23 not supposed to double block people on high acuity
24 modules, and he said yes. And I said okay, well, I
25 got an email from this officer and she's been double

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1 blocked, and this is the second day in a row it's
2 happened. He said okay, I'll take care of it.

3 Q. I'm going to show you what will be marked
4 as D-4.

5 THE REPORTER: I have a question, how do
6 you spell Brian Zeiger? Is his last name Z --

7 MS. GRIESER: Z --

8 THE WITNESS: Z-I-G-E-R.

9 MS. GRIESER: I believe it's Z-I-E --

10 THE WITNESS: It's excuse me, yeah.

11 MS. GRIESER: Yeah, Z-I-E-G-E-R.

12 MR. MANSOUR: No, I think it's Z-E-I. No,
13 I'm serious it's Z-E-I, yeah.

14 MS. GRIESER: Yeah, I think you're right,
15 he pronounces it the non-German way.

16 MS. BURNS: E-I-G --

17 MS. GRIESER: E-I-G-E-R.

18 (Whereupon Exhibit No. D-4 was so marked for
19 identification being the table of organization.)

20 BY MS. GRIESER:

21 Q. Do you recognize that?

22 A. Yes.

23 Q. I'm showing you COB0287 entitled Table of
24 Organization, Section A-1.2, and this shows the
25 Bucks County Department of Corrections organizatio-

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1 nal chart?

2 A. Mm-hmm.

3 Q. I'm sorry, you have to --

4 A. I'm sorry, yes, ma'am.

5 Q. All right. And if we follow this down
6 with the director, deputy director then superinten-
7 dent at the correctional facility, correct?

8 A. Yes, ma'am.

9 Q. And then going to the left there's deputy
10 superintendent of security which -- Is that post
11 fulfilled or not to the best of your knowledge?

12 A. I don't know.

13 Q. You don't know, okay. And then kind of
14 branching off from there there's a hearing officer,
15 right, which you were previously?

16 A. Yes, ma'am.

17 Q. And then administrative lieutenant there's
18 two administrative lieutenants on the left and
19 right?

20 A. Mm-hmm, yes, ma'am.

21 Q. And you would be the administrative lieu-
22 tenant on the right, correct?

23 A. Yes, ma'am.

24 Q. In charge of records, reception staff?

25 A. That's yes. However, when, when I got

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1 promoted to the position it was explicitly told to
2 me that both lieutenants should be able to do each
3 other's jobs.

4 Q. Okay. But you're the person, you're the
5 -- Your position was the administrative lieutenant
6 on, on the right over records/reception staff, corr-
7 ect?

8 A. Yes.

9 Q. And who fulfilled the administrative
10 lieutenant position to the, to the left?

11 A. Lt. Sherman.

12 Q. And it looks as if he had responsibility
13 for operations, secretaries, lieutenants, sergeants,
14 corrections and kitchen officers?

15 A. Yes.

16 Q. And I'm going to go ahead and take that
17 back from you, P-4, okay. So you didn't call Brian
18 Zeiger when this CO that you called in about having
19 been double, double booked; is that what you call
20 it?

21 A. Yeah, double blocked.

22 Q. Double blocked on the high acuity unit,
23 you didn't call Brian Zeiger then did you?

24 A. No, ma'am.

25 Q. And you said that you called Mr. Zeiger

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1 because there had been a fight; is that what you
2 said?

3 A. No, I said it was a continuing issue of,
4 of staff being pulled from reception leaving a dan-
5 gerous work environment.

6 Q. And when I asked you about the timing of
7 it, why did you call him when you did you --

8 Correct me if I'm wrong, but you said that
9 there was a fight with an inmate?

10 A. Yeah, yeah, one officer, yes. Again I, as
11 I said the -- I brought it up to DOC administration,
12 and then I was able to let them know about it during
13 this investigation and nothing had changed.

14 Q. Okay. You told the DO, DO, ugh, sorry --
15 The DOC administrative staff about this fight with
16 an inmate pulling people from staff and reception?

17 A. Yeah, yes, yes, I told them.

18 Q. And so when in relation to you getting
19 your notification for the -- for the fact finding
20 hearing --

21 When in relation to that time period was
22 this fight, was it before/after?

23 A. I don't, I don't recall.

24 Q. And if Mr. Zeiger said that you called him
25 on May 30th, that would be correct?

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1 A. It probably, I don't know for sure.

2 Q. You have no reason to doubt that Mr. Zei-
3 ger would make up a date, correct?

4 A. No, ma'am.

5 Q. So if he said May 30th, you tend to trust
6 that date?

7 A. Yes, ma'am.

8 Q. All right. So what did you divulge to Mr.
9 Zeiger on or about the 30th of May?

10 A. I told him about the, how Ofcr. Ulmer had
11 been pulled, about how I had previously told the
12 lieutenant who did that and DOC administration about
13 that. It was a chronic problem that I reported sev-
14 eral times.

15 Q. And what else did you tell him?

16 A. That's essentially that, again that I had
17 done everything I could to stop it from happening
18 before and after the incident, and it still wasn't
19 changing.

20 Q. But again you, you only let HR and legal
21 know about the perceived dangerous situation during
22 the bullying investigation?

23 A. Correct.

24 MS. GRIESER: So let's mark as the motion
25 the -- (inaudible.) What are we on?

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1 MS. BURNS: P-4.

2 MS. GRIESER: Thanks.

3 BY MS. GRIESER:

4 Q. So I'm looking at P-4, however it's been a
5 redacted version of P-4. This pen is dying. And I
6 submit to you that your, your attorney marked this
7 as P-4 it's the emergency motion of a previous dep-
8 osition. It's the emergency motion to reopen disco-
9 very filed by Mr. Zeiger the day after you called
10 him, okay?

11 You would agree that you told him that the
12 intake area was grossly understaffed?

13 A. Yes, ma'am.

14 Q. That there were supposed to be three offi-
15 cers stationed in the area at all times, and I, I
16 imagine that area means reception?

17 A. Reception.

18 Q. But routinely only two were, were staff
19 there?

20 A. Yes, ma'am.

21 Q. And defendant Ulmer should never have been
22 called away from intake?

23 A. That's correct.

24 Q. Leaving only one officer on duty?

25 A. Yes, ma'am.

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1 Q. And that Ofcr. Ulmer should have locked
2 the, quote, "dirty cell"?

3 A. Yes, ma'am.

4 Q. After Rhoades was taken to be searched?

5 A. Yes.

6 Q. Does that sound right?

7 A. Yes.

8 Q. And by her not locking the door, she was
9 in violation of BCCF policy?

10 A. Yes.

11 Q. And that you mentioned various other facts
12 pertaining to staffing the incident, I imagine that
13 means to be --

14 I take that to mean the Rhoades incident;
15 is that fair?

16 A. Yes, ma'am.

17 Q. The investigation, I imagine that's the
18 investigation into inmate Patterson's death, would
19 you agree with that?

20 A. I believe so.

21 Q. And your complaints to your supervisors?

22 A. Yes, ma'am.

23 Q. So you did not tell Mr. Zeiger that you
24 had just recently reported it to HR and legal, corr-
25 ect?

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1 A. No or yeah, I believe I did actually. I
2 believe I did tell them that.

3 Q. So what were you hoping would happen when
4 you called Mr. Zeiger?

5 A. I was hoping that the situation, these
6 situations would stop happening.

7 Q. Prior to this investigation you, you knew
8 of HR's existence, correct?

9 A. Yes, ma'am.

10 Q. And you could've called them at any time?

11 A. Yes, I could've, but I would believe I
12 would've been retaliated upon if I did then so.

13 Q. So you did not tell HR because you're
14 afraid that you'd be retaliated against?

15 A. Yes, ma'am.

16 Q. Are you aware that the county has an anti-
17 retaliation policy?

18 A. Yes, ma'am.

19 Q. And you didn't tell them that you had just
20 recently told legal; is that right?

21 A. Yes, I believe I did tell them that.

22 Q. And that you knew how to get in touch with
23 the solicitor's office?

24 A. I did not tell them that, no.

25 Q. I'm asking you, do you know how to get in

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1 touch with --

2 A. Yes.

3 Q. -- the solicitor's office?

4 A. Yes, ma'am.

5 Q. But you didn't tell the solicitor's office
6 before at this point in your investigation?

7 A. No, ma'am.

8 Q. Okay. So ultimately after your conversa-
9 tion with Mr. Zeiger and I -- before I leave that,
10 that topic.

11 When you had a conversation with Mr. Zei-
12 ger he, he says that he told you that he was under a
13 protective order and could not discuss the case but
14 could listen to you, do you recall him saying that?

15 A. No, ma'am.

16 Q. You don't recall him saying at all that
17 that he disclosed there was an active protective
18 order?

19 A. I don't remember that.

20 Q. So just to be clear, you don't remember
21 him saying that or he didn't?

22 A. I don't remember him saying that, no.

23 Q. Prior to this had you contacted any other
24 attorneys regarding stuff that you had seen in the
25 facility, anything that that caused you concern in

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1 the Bucks County Confinement Facility?

2 A. No, ma'am.

3 Q. This is the first time?

4 A. Yes, ma'am.

5 Q. And you thought by telling Mr. Zeiger, an
6 outside attorney this information, that you wouldn't
7 be retaliated against?

8 A. I probably thought I would, would be re-
9 taliated against, but the situation again with some-
10 body dying and then officers potentially getting
11 hurt at that point, it meant more to me than getting
12 retaliated against.

13 Q. So why didn't you call the solicitor's
14 office instead?

15 A. I talked to the solicitor, I talked to a
16 member of the solicitor's department.

17 Q. During the bullying investigation?

18 A. That's correct.

19 Q. So by necessity that would've been shortly
20 before, and the timing it would've been shortly be-
21 fore you called Mr. Zeiger?

22 A. It would probably have been about a month
23 before, yeah.

24 Q. And you didn't contact HR prior to the
25 bullying investigation because you thought that

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1 you'd be retaliated against?

2 A. Correct.

3 Q. And Joshua Patterson, he died in on I believe
4 July 6, 2022, correct?

5 A. I believe around that time, yes.

6 Q. And your phone call to Mr. Zeiger was on
7 or about May 30th, 2024?

8 A. Yes.

9 Q. And you got notice of a fact finding meeting
10 on or about May 30th, 2024. Why didn't you call
11 him during the intervening two years since this was
12 an ongoing situation as you said?

13 A. I tried to, again I tried to keep letting
14 my -- letting the administration know what happened,
15 um, it wasn't addressed. Finally when it got out to
16 people outside of my administration, I thought it
17 would be then be addressed and it wasn't. And at
18 that point I felt I, I, there would be no remedy
19 through the DOC administration legal or HR.

20 Q. Is it fair to say that you were upset by
21 this bullying investigation?

22 A. I wasn't happy about it.

23 Q. Is it fair to say that you let people know
24 that you weren't happy about it?

25 A. I don't, I don't -- I don't believe I let

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1 anybody know, no, I don't. I believe I -- You know
2 the, the whole topic is kind of embarrassing, so I
3 don't think I actively spoke about it.

4 Q. At your fact finding investigation did you
5 produce any witnesses?

6 A. Yes.

7 Q. About how many?

8 A. Thirteen.

9 Q. So at least thirteen of your -- I imagine
10 they were colleagues, coworkers?

11 A. Some were supervisors.

12 Q. Out of the thirteen witnesses they had a
13 good idea of how you felt about the investigation;
14 is that right?

15 A. I don't know, probably.

16 Q. Is it fair to say that you were, you were
17 frustrated?

18 A. Um, I was more confused.

19 Q. So you were -- When, when you found out
20 that it had been founded by HR, the bullying invest-
21 igation I'm referring to, what was your reaction?

22 A. Um, again it was, it was confusion. Again
23 out of the thirteen, thirteen witnesses I produced
24 they only heard from three of them, um, so again I
25 was confused.

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1 Q. What were you confused about?

2 A. Most of it, it didn't really say how I
3 created a toxic and hostile work environment, it
4 just said that I did. So I, you know I would have
5 liked to know specifics so if there was that behav-
6 ior, I could correct it. And again they didn't lis-
7 ten, they didn't -- They spent months as you said
8 interviewing several, several people but the three
9 that -- I had brought thirteen and they only heard
10 three, and then they said it was time to go for the
11 day. So I don't understand how that's a complete
12 and thorough investigation, or how you come to that
13 conclusion.

14 Q. Were you told that the remaining witnesses
15 could produce affidavits instead of live testimony?

16 A. Yes.

17 Q. Did you get affidavits and submit them?

18 A. I was given a couple days' time limits,
19 some people were off away. I didn't have a lot of
20 time to do it, but yes, I did get some.

21 Q. So you were told that they could submit
22 affidavits?

23 A. Yes.

24 Q. So the timing of you calling Mr. Zeiger on
25 or about the exact same day that you're notified of

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1 a fact finding meeting regarding a bullying investi-
2 gation is totally coincidental?

3 A. Again I was at the point where I don't
4 think anybody was listening to me about this issue
5 and, um, I wanted it to stop.

6 Q. So at that point even though you knew that
7 you had a fact finding meeting coming up, you prior-
8 itized calling Attny. Zeiger about something unrela-
9 ted to the bullying investigation?

10 A. Yes.

11 Q. And this was at the same time you were
12 gathering thirteen witnesses to testify on your be-
13 half?

14 A. Yes.

15 Q. Did you submit any other evidence?

16 A. I believe I did.

17 Q. Do you recall anything generally?

18 A. I think a statement and maybe some emails.

19 Q. And as a result of you calling Mr. Zeiger
20 there was a second investigation; is that right?

21 A. Yes, ma'am.

22 Q. And that is when you talked to attorney
23 Dan Grieser and Lauren Smith?

24 A. Yes, ma'am.

25 Q. And ultimately you were terminated, let me

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1 get what's marked as P-2 the letter of termination.

2 MR. MANSOUR: P-1.

3 MS. GRIESER: P-1, okay, I'll get there.

4 Could we go off the record for a second.

5 (Documents searched off the record.)

6 BY MS. GRIESER:

7 Q. Now, I'm handing you what's previously
8 been entered as P-1, go ahead and take a look at
9 that.

10 A. Okay.

11 Q. Do you recognize that document?

12 A. Yes, ma'am.

13 Q. And what is it?

14 A. A disciplinary action form.

15 Q. And this is, this is the ultimate disci-
16 plinary action form used for your termination?

17 A. Yes, ma'am.

18 Q. And you're under violation of the follow-
19 ing policies and procedures. It states that you're
20 being terminated for each of the following listed
21 violations separately and independently, and that
22 means that each violation listed below -- indepen-
23 dent of any of the others -- constitutes a wholly
24 separate ground for your termination.

25 Do you understand that?

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1 A. Yes.

2 Q. So you were terminated for violating Human
3 Resources Policy 1.0, Work Rules 59: Giving confi-
4 dential and company information to other individu-
5 als, organizations or to unauthorized county emplo-
6 yees and, Number 63, failure to abide by the county
7 established code of conduct. And then also Human
8 Resources Policy 32 which is the code of conduct,
9 and in addition it says BCDOC (that's Bucks County
10 Department of Corrections) table of offenses. Num-
11 ber 15, divulging any information of a confidential
12 and/or sensitive nature concerning the operations of
13 the department. And it goes on, security institu-
14 tions, inmates and/or residents and, at Number 17,
15 conduct unbecoming an employee.

16 Do you agree with me that these are the
17 bases for which you were terminated, at least what's
18 listed here?

19 A. Yes, ma'am.

20 Q. Okay. Let me go ahead and take it back,
21 thank you. And I'll, I'll mark this as Defense
22 Exhibit D-5. Take a look at that, that is COB0288,
23 Standard Operating Procedures and Guidelines and
24 Policy Review, Section A-1.3.

25 A. Okay.

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1 (Whereupon Exhibit No. D-5 was so marked for
2 identification being guidelines and policy review.)

3 BY MS. GRIESER:

4 Q. And you would agree with me that this pol-
5 icy for guideline, SOP guidelines requires that all
6 staff be issued a full manual?

7 A. Yes, ma'am.

8 Q. And that it's your responsibility to keep
9 the manual in good maintenance and to return it once
10 you are terminated?

11 A. Yes, ma'am.

12 Q. And Paragraph 2 charges all staff with
13 being responsible for close and detailed knowledge
14 of all policies and procedures including revisions
15 and updates, do you agree with that?

16 A. Yes, ma'am.

17 Q. Would you also agree as a supervisor it's
18 especially important for you to have a detailed
19 knowledge of all policies and perfe -- procedures?

20 A. Yes.

21 Q. And you believe that you do have, or did
22 at the time, a detailed knowledge of all policies
23 and procedures?

24 A. Yes. To the best of my ability, yes.

25 MS. GRIESER: And I'm going to go ahead

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1 and take that back. Did we do the table of,
2 table of offenses?

3 MR. MANSOUR: It hasn't been marked be-
4 fore.

5 MS. GRIESER: That --

6 MR. MANSOUR: I don't think so.

7 MS. GRIESER: We're going to mark this as
8 Delta-5 or --

9 MR. MANSOUR: Six.

10 MS. GRIESER: Delta-6, here's 5.

11 (Whereupon Exhibit No. D-6 was so marked for
12 identification being employee discipline and table of
13 offenses.)

14 BY MS. GRIESER:

15 Q. It's a nine, that's a nine-page document
16 from COB0416 to COB424: Employee Disciplinary Table
17 of Offenses, Section A-2.5.

18 You are familiar with this document; is
19 that correct?

20 A. Yes, ma'am.

21 Q. And you need to be familiar with this doc-
22 ument as a supervisor, right?

23 A. Yes, ma'am.

24 Q. And I'd imagine that as a hearing officer
25 you would also be closely acquainted with this docu-

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1 ment; is that fair to say?

2 A. Yes, ma'am.

3 Q. And on page 3 of 9 this says, "To illus-
4 trate the types of conduct that will not be tolera-
5 ted under the code of ethics, the department has
6 prepared the following table of offenses even though
7 it's not an exhaustive list," right? "And the dep-
8 artment reserves the right to determine an appropri-
9 ate level of discipline."

10 It's in the policy, do you see that?

11 A. Yes, ma'am.

12 Q. And if you flip to page 5, you'll see
13 BCD0C15, which you'll agree is one of the bases for
14 which your termination was listed on your disciplin-
15 ary form?

16 A. Yes.

17 Q. Your personal action form. And this says,
18 "Divulging any information of a confidential and/or
19 sensitive nature concerning the operations of the
20 department, the security of the institution, inmates
21 and/or residents," do you agree with that?

22 A. Yes, if that's what it says.

23 Q. Do you believe that divulging the details
24 of an incoming inmate's alleged misconduct would
25 qualify as information of a confident -- confiden-

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1 tial and/or sensitive nature?

2 A. It depends.

3 Q. Well, you told Mr. Zeiger how Mr. Rhoades
4 was back getting an unclothed search, correct?

5 A. That's correct.

6 Q. And that Ofcr. Atilas told him to go to
7 the front, correct?

8 A. That's correct.

9 Q. And I believe she was -- She's a CO or
10 sergeant, Sgt. Ulmer?

11 A. A CO.

12 Q. CO Ulmer got called away so she wasn't at
13 the front, correct?

14 A. That's correct.

15 Q. And you also told Mr. Zeiger how CO Ulmer
16 failed to close the door to the dirty cell?

17 A. Yes, ma'am.

18 Q. And that inmate Rhoades went into the
19 dirty cell to retrieve his sack lunch, correct?

20 A. That's correct.

21 Q. And in his sack lunch he had put a number
22 of narcotics including Fentanyl and methampheta-
23 mines?

24 A. I don't, I didn't tell him that. I didn't
25 know what was in there.

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1 Q. But you understood it to be --

2 A. Drugs, correct.

3 Q. You'd agree that that's what I just ex-
4 plained is a crime that Mr. Rhoades committed; is
5 that right?

6 A. That's correct.

7 Q. So and it relates to an inmate, correct?

8 A. Yes.

9 Q. And it relates to the procedures of recep-
10 tion, correct?

11 A. Correct.

12 Q. And the procedures of reception relates to
13 the security of the institution as a whole, right?

14 A. Yes.

15 Q. So you would agree that divulging that
16 type of information about inmates and about the sec-
17 urity of the institution in the way that you did by
18 describing the, not only the intake procedures but
19 also -- but also an alleged crime committed by in-
20 mate Rhoades, that that would be confidential and/or
21 sensitive information?

22 A. No.

23 Q. Why not?

24 A. Because like you said it's a crime, I mean
25 there were articles in the newspaper about that hap-

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1 pening and about the inmate and how it happened.

2 Q. Did any, none of the articles mentioned
3 any COs by name, right?

4 A. That's correct.

5 Q. And they certainly didn't specifically
6 name the inmate, correct, inmate Rhoades?

7 A. Yeah, yes they did. There are, there are
8 articles that -- So in fact when Rhoades got sen-
9 tenced there, and they mentioned my name and again
10 recounted what happened.

11 Q. So that was when he was sentenced which
12 was many months later?

13 A. Correct.

14 Q. And at the time that you divulged this to
15 Mr. Zeiger, it was an alleged offense committed by
16 Mr. Rhoades?

17 A. Correct.

18 Q. And that information wasn't public?

19 A. Not at that time.

20 Q. Did the newspaper articles also didn't
21 mention that a door was left ajar?

22 A. I believe they did, that he was able to go
23 back into his cell. I mean into the cell and re-
24 trieve it, and the only way he could do that was if
25 the door was open.

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1 Q. You're aware that the Patterson, Corbin is
2 the individual who brought suit against the county
3 of, on behalf of the Estate of Inmate Patterson,
4 okay? So --

5 A. Yes.

6 Q. I'll just refer to it as the Patterson --

7 A. Okay.

8 Q. -- case, really it's Corbin, okay. So
9 with the Patterson case, you're aware that there was
10 a protective order over the case?

11 A. No, I was not aware.

12 Q. If there were a protective order or -- I'm
13 sorry, let me back up. Are you aware that there was
14 a motion to seal the majority of documents in this
15 case?

16 A. No, I was not.

17 Q. Do you know what a motion to seal is?

18 A. Correct, yes, I do.

19 Q. What's, what's your understanding?

20 A. Basically it's confidential, you can't
21 talk about it.

22 Q. So if this information was sealed by the
23 Court, how would -- How would a newspaper have found
24 out such details since you said that these details
25 exist in the newspaper?

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1 A. I don't know if it was sealed by the Court
2 or not.

3 Q. If it were sealed --

4 A. Okay.

5 Q. Okay, let's assume it was sealed.

6 A. Mm-hmm.

7 Q. In what way would the newspaper get such
8 detailed information as you said?

9 A. I don't know.

10 Q. And your understanding of something being
11 sealed and being under a protective order is that
12 you can't talk about it?

13 A. That's correct.

14 Q. But you don't remember Mr. Zeiger telling
15 you that --

16 A. I don't.

17 Q. -- he was bound by, by a protective order?

18 A. No, no, I don't.

19 Q. Did he, did you guys have an exchange, or
20 did he just let you talk when you called him?

21 A. Um, I know he said that they weren't ask-
22 ing for much, so there was a little bit of an ex-
23 change but, um, he mostly listened to me.

24 Q. So in your opinion the details of the
25 order, the details of the order of how we intake

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1 inmates, to you that's not sensitive or confiden-
2 tial?

3 A. I'm sorry, can you --

4 Q. The details of how inmates are being pro-
5 cessed, the order in which they're being processed
6 as well, you don't believe that that is information
7 of a sensitive or confidential nature?

8 A. No.

9 Q. Do you believe that if the general public
10 knew these details of how inmate Rhoades was able to
11 smuggle in contraband, do you believe that that
12 would inform someone else on how to smuggle in con-
13 traband?

14 A. No.

15 Q. Why not?

16 A. Because I believe inmates are going to try
17 and smuggle in contraband whether they hear about a
18 case of Mr. Rhoades or not.

19 Q. Inmates try to smuggle in contraband all
20 the time, right?

21 A. That's correct.

22 Q. And fortunately we catch the vast, the
23 vast majority of those individuals, correct?

24 A. I would disagree with that.

25 Q. You would disagree with that?

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1 A. That's correct.

2 Q. Are you aware that there's only been, be-
3 fore Mr. Rhoades, two times in the past ten years
4 that contraband was not caught during the intake
5 process?

6 A. That is not true.

7 Q. So like you said and I agree with the fact
8 that individuals/inmates try to smuggle in contra-
9 band all the time.

10 Would it not be valuable for an incoming
11 inmate to know how somebody else successfully smug-
12 gled in contraband?

13 A. I'm sorry, can you repeat that.

14 Q. Would it not be an advantage for an in-
15 coming inmate to know how someone successfully smug-
16 gled in contraband?

17 A. An advantage like, I'm sorry.

18 Q. Wouldn't that be basically a how-to smug-
19 gle in contraband --

20 A. No.

21 Q. -- successfully?

22 A. No.

23 Q. Why not?

24 A. Because there's only a few ways you can
25 smuggle in contraband. It's not like they invented

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1 this, this person invented a new way, it was be-
2 cause we didn't have staff there to prevent this
3 from happening.

4 Q. If there is staff, well -- I'll wait, I'll
5 wait for that. So basically a how-to smuggle in
6 contraband into our intake processes in your opin-
7 ion are not sensitive?

8 A. No.

9 Q. So you believe that we could just take one
10 of these, take the SOP that describes our intake
11 process and publish it?

12 A. I, I'm, I'm sure it's probably out there
13 already, but we have seven thousand inmates come in
14 the facility a year, they know the process.

15 Q. Okay. My question was, do you think that
16 that is something that we could do and have no, no
17 issues with, just publish our intake procedures?

18 A. We, we kind of do publish it in the inmate
19 handbook.

20 Q. You say that we publish it in the intake
21 handbook?

22 A. Yeah, we describe what's going to, what's
23 going to happen to them.

24 Q. Let me start in the back, I'm going to
25 hand you -- I'm going to mark this as --

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1 MS. GRIESER: What are we up to, we're up
2 to seven, correct?

3 THE REPORTER: Yeah.

4 MS. GRIESER: You have that in front of
5 you, okay. I'm going to take back Delta-6,
6 thank you, we'll mark this as Delta-7.

7 (Whereupon Exhibit No. D-7 was so marked for
8 identification being a release of past offender
9 incarceration dates.)

10 BY MS. GRIESER:

11 Q. Take a look, take a look at that document.
12 This is COB0611 to COB0614 it's a four-page docu-
13 ment, do you recognize that?

14 A. Yes.

15 Q. And this is the release of past offender
16 incarceration dates, correct?

17 A. Yes.

18 Q. And actually it's the records officer who,
19 or the records office that is in charge of releasing
20 past incarceration dates?

21 A. Yes.

22 Q. And it says that the DOC cannot respond to
23 requests by anyone other than the individual who has
24 been incarcerated?

25 A. Yes.

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1 Q. Why is that?

2 A. I don't know.

3 Q. You, you're in charge of this program?

4 A. Mm-hmm.

5 Q. You have to say yes.

6 A. Yes, I'm sorry.

7 Q. And any time somebody wants the dates of
8 their past incarceration they send -- either come to
9 the window personally, correct?

10 A. Yes.

11 Q. Or mail a request; is that right?

12 A. Yes, that's correct.

13 Q. But as long as you've been in the records
14 department, you don't know why you can't give past
15 incarceration dates to anyone other than the inmate
16 him or herself?

17 A. I don't know why in this, when the inmate
18 requests them why we go through this, this process.
19 If you call up the records office and you say is
20 John Smith there, and they say yes -- We have to say
21 yes if he's here, and if he's sentenced we have to
22 let them know when he's getting out.

23 Q. Right. I believe, and you can correct me
24 if I'm wrong, that this policy contemplates somebody
25 who is looking for past incarceration dates?

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1 A. Mm-hmm.

2 Q. Yes?

3 A. Correct.

4 Q. And it says that the DOC cannot respond to
5 requests by anyone other than the individual who's
6 been incarcerated.

7 And you're in charge of this program, and
8 you don't know why you can't release that informa-
9 tion to anybody but that individual?

10 A. But we do release it to other -- If their
11 attorneys or if other agencies ask, we do release it
12 to --

13 Q. I'm going to draw your attention to page 3
14 of the same document.

15 A. Mm-hmm.

16 Q. And yes?

17 A. Yes, sorry.

18 Q. It's the, this is actually a sample re-
19 quest for release of past incarceration dates isn't
20 it?

21 A. Yes.

22 Q. And if somebody requests a form to request
23 their past incarceration dates, you would give this
24 page 3 and page 4 to him or her; is that right?

25 A. Yes.

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1 Q. And Paragraph 1 says, "The DOC cannot res-
2 pond to a request by anyone other than the individ-
3 ual who has been or is incarcerated."

4 A. Yes.

5 Q. Is that right, okay. And you're saying
6 you don't know why that's in there?

7 A. No, I don't.

8 MS. BURNS: Can we just go off the record
9 for a second.

10 (Discussion off the record.)

11 BY MS. GRIESER:

12 Q. You recall telling me that you had a de-
13 tailed knowledge of these policies, right?

14 A. Mm-hmm.

15 Q. Yes?

16 A. Yes.

17 Q. And this specific policy is directed 100
18 percent to your office, right?

19 A. Yes.

20 Q. And yet you don't know why you can't re-
21 lease past incarceration dates to anyone other than
22 the individual themselves?

23 A. But we, we do release past incarceration
24 dates to people other than their -- other than the
25 person themselves.

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1 Q. So you violate this when you were -- When
2 you were employed you violated this policy on a reg-
3 ular basis?

4 A. I don't know if it's a -- I don't know if
5 that's specifically a violation, but yes, we release
6 it to other people. If probation and parole wants
7 incarceration dates, we give them to them.

8 Q. And you --

9 A. If a judge calls me up and says we want, I
10 want to know when he was, I have to tell the judge.

11 Q. And you never asked anybody why the policy
12 is that you can't respond to a request for past in-
13 carceration dates to anybody but the individual?

14 A. No.

15 Q. I'm going to take that back from you.

16 A. Sure.

17 Q. I'm going to hand you what's marked as
18 Delta-7.

19 MR. MANSOUR: Eight.

20 MS. GRIESER: Eight, sorry, I'm always
21 lagging behind these things.

22 (Whereupon Exhibit No. D-8 was so marked for
23 identification being the department vision, mission, values
24 and code of ethics.)

25 BY MS. GRIESER:

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1 Q. I want you to take a look at that and that
2 is COB0283 to COB0286 it's A-1.1, Department Vision,
3 Mission, Values and Code of Ethics.

4 Are you familiar with this document?

5 A. I'm not completely familiar with it.

6 Q. This is the mission of vision of, of
7 the --

8 A. Yes, I --

9 Q. -- Bucks County Department of Corrections,
10 right?

11 A. Yes.

12 Q. And A-1.1, this is the very first one,
13 correct?

14 A. Yes.

15 Q. And earlier you told me that you were
16 aware that you had to keep, make yourself familiar
17 with this, with all the policies, right?

18 A. Yes.

19 Q. And that is especially important because
20 you're a supervisor?

21 A. Yes.

22 Q. But you're not familiar with A-1.1?

23 A. Not in this form.

24 Q. You know, you know it in another form?

25 A. Yes.

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1 Q. What's that form?

2 A. This form was just updated in, in January
3 of 2004 or it's -- yeah, January 2024.

4 Q. Okay.

5 A. So I remember the old one.

6 Q. Okay. And just this looks substantially
7 the same as the one you're familiar with?

8 A. Mostly yes.

9 Q. Turning your attention to page 2 of that
10 document, it talks about core values of public ser-
11 vice, professionalism, ethics and state of the art
12 services.

13 And it says, "To maintain these values all
14 staff are required to maintain institutional securi-
15 ty," correct?

16 A. Yes.

17 Q. And it's your testimony that outlining how
18 somebody successfully exploited the intake system
19 was not in any way a threat to institutional securi-
20 ty?

21 A. I'm sorry?

22 Q. And it's your testimony that telling a
23 third party, an outside third party, how somebody
24 was able to successfully exploit the Bucks County
25 Confinement Facility's intake system in smuggling

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1 contraband, you do not believe that that threatens
2 institutional security?

3 MR. MANSOUR: Objection to form, but you
4 can answer.

5 THE WITNESS: Not if the outcome would've
6 been the unit to be properly staffed, no, I
7 don't. I don't think so.

8 BY MS. GRIESER:

9 Q. And then going down to the fourth para-
10 graph and it's not marked. You agree that it says,
11 "Report any conduct which threatens the institutio-
12 nal security or the professional operations of the
13 facility," do you see that?

14 A. Yes.

15 Q. And you were CO Ulmer's supervisor; is
16 that right?

17 A. Yes.

18 Q. And you told Mr. Zeiger that you believed
19 that she violated policy when she failed to lock the
20 dirty cell door, correct?

21 A. Yes.

22 Q. But you never reported that conduct to
23 anybody, did you?

24 A. No, that's incorrect, I did.

25 Q. To who?

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1 A. To I believe I put out an email to, um, to
2 the captain, the sup -- The deputy superintendents,
3 the superintendent --

4 Q. Nottingham?

5 A. -- to any -- Nottingham, Contino, Reed,
6 Matellus, Coyne, Kratz.

7 Q. And that, that email says that you believe
8 CO Ulmer violated -- whoops, sorry -- violated poli-
9 cy by leaving the dirty cell unlocked?

10 A. Yes, ma'am.

11 Q. It's your responsibility to discipline
12 her; is that correct?

13 A. Uh, not necessarily.

14 Q. Okay. And we talked earlier about how and
15 you would agree with me, that it would be your res-
16 ponsibility if you saw somebody do violate a policy,
17 that depending on what that infraction was that you
18 would counsel them along those lines?

19 A. Correct.

20 Q. And you believe that CO Ulmer violated
21 policy, yet you did not do any counseling or --

22 A. Oh, I did counsel her and I reported it to
23 the administration. Um, basically discipline goes
24 that you -- I would report it and then the adminis-
25 -- the administration would decide if they want to

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1 pursue it or not.

2 Q. And you didn't mention that before when we
3 were talking about your responsibility to discipline
4 subordinates?

5 A. I did say depending on the circumstances.

6 Q. Did you counsel her in writing?

7 A. No, I did it verbally.

8 Q. Why didn't you put it in writing?

9 A. Because I was wait, 'cause I was waiting
10 to see what the administration wanted to do with it.

11 Q. And again this happened in July 2022?

12 A. Yes, ma'am.

13 Q. At some point you became aware that the
14 administration wasn't going to discipline her; is
15 that right?

16 A. That's correct.

17 Q. But you still did nothing more than verb-
18 ally counsel her?

19 A. I, I, yes, that's correct.

20 Q. And then the one, two, three, four, fifth
21 dot down. It says, "Never become personally in-
22 volved with an inmate or those who are involved in
23 the lives of inmates," do you see that?

24 A. Yes.

25 Q. Do you agree with me that Mr. Zeiger who

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1 represented, represented Patterson's estate is some-
2 body who is involved in the lives of inmates?

3 A. No.

4 Q. Why not?

5 A. 'Cause Patterson is dead.

6 Q. What about Rhoades?

7 A. I'm sorry, what are you asking about
8 Rhoades?

9 Q. Well, you told Mr. Zeiger a bunch of de-
10 tailed information regarding how Rhoades was able to
11 smuggle in the drugs that ultimately Pat -- Mr. Pat-
12 terson ingested and unfortunately passed away from.

13 A. Mm-hmm.

14 Q. So would you say that Mr. Zeiger was some-
15 body involved in the life of Mr. Rhoades?

16 A. No.

17 Q. Even though he was the supposed cause of
18 his client's death?

19 A. Correct.

20 Q. So it's your, it's your testimony that
21 once an inmate dies, you can talk to whoever you
22 want about that inmate?

23 A. No, it's my testimony that I don't believe
24 that he was personally involved within the lives of
25 these individuals.

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1 Q. Correct me if I'm wrong, but you said be-
2 cause Patterson is dead?

3 A. Yeah, I mean he's not involved in his
4 life.

5 Q. You don't consider his estate to be part
6 of Patterson?

7 A. He's not personally. The way I'm reading
8 this, personally involved with an inmate or those
9 who are involved in the lives of inmates, I mean I
10 don't -- I don't, I don't see the correlation.

11 Q. You don't see the correlation there? I'm
12 going to have you flip the page to the next page.

13 A. Okay, yes, yes.

14 Q. Paragraph 7 it states, "Staff members will
15 never discuss the charges, criminal records, cases
16 or any information about one inmate with another in-
17 mate or with any outside group or organization, with
18 a single exception of those staff specifically auth-
19 orized to do so as part of their job description."

20 Do you see that?

21 A. Yes, ma'am.

22 Q. Do you agree that providing the informa-
23 tion, the detailed information that you did to Mr.
24 Zeiger, that was you discussing charges, criminal
25 records, cases of Mr. Rhoades?

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1 A. I don't believe, no. I didn't discuss any
2 charges or criminal, criminal records with him.

3 Q. You did explain to him how Mr. Rhoades
4 successfully exploited the system and was able to
5 smuggle in contraband, correct?

6 MR. MANSOUR: Objection to form, you can
7 answer.

8 THE WITNESS: Yes.

9 BY MS. GRIESER:

10 Q. And you're aware that he was later charged
11 with that?

12 A. Yeah, but not at this time, not when I
13 talked to him.

14 Q. But you did know that that was an alleged
15 crime?

16 A. Yes.

17 Q. You see the part where it says, "or any
18 information about one inmate" --

19 A. Yes.

20 Q. -- "to any outside group"?

21 A. Yes.

22 Q. Would you agree with me that you did dis-
23 close information, any information regarding inmate
24 Rhoades to Mr. Zeiger?

25 A. Yes.

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1 Q. Okay. And then down to Paragraph 11 it
2 states, "Employees will not provide inmates or those
3 associated with inmates any institutional or policy
4 information."

5 You'd agree that there is a policy on in-
6 take procedures?

7 A. Yes.

8 Q. And again you shared that with an outside
9 party, correct?

10 A. Yes.

11 Q. Who was bringing a case on behalf of the
12 estate of a former inmate, correct?

13 A. Yes.

14 Q. Whose death was allegedly caused by Mr.
15 Rhoades, another inmate, correct?

16 A. I don't think it's allegedly, but yes.

17 Q. He did plead guilty to it so?

18 A. Yes.

19 Q. So you still maintain that that's not in-
20 formation associated with a policy?

21 A. I'm sorry, what, what are you referring
22 to?

23 Q. I'm sorry. So we established that there
24 is a policy regarding intake procedures?

25 A. Yes.

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1 Q. Okay. And you're not to provide that, any
2 information to inmates or those associated with in-
3 mates, correct?

4 A. Yes.

5 Q. All right. And you don't believe that Mr.
6 Zeiger was bringing, bringing a case on behalf of
7 the estate of a former inmate, Patterson, that invol
8 -- his death was caused by inmate Rhoades' success-
9 ful smuggling of contraband into the facility? You
10 still don't believe that Mr. Zeiger is somebody as-
11 sociated with inmates?

12 MR. MANSOUR: Objection to form, you can
13 answer if you understand.

14 THE WITNESS: Um, I'm sorry, he's what
15 with inmates?

16 BY MS. GRIESER:

17 Q. Mr. Zeiger.

18 A. Yeah, is --

19 Q. Is he associated or a person associated
20 with inmates?

21 A. Well, again I don't, I don't believe that.
22 I mean he's associated with the estate, but not with
23 the inmates.

24 Q. So then why call him?

25 A. Because I believe he could effect the

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1 change of -- He was in the best position to effect
2 the change of the pulling staff, the undermanning of
3 the unit.

4 Q. Why?

5 A. Excuse me?

6 Q. Why?

7 A. Because as you said he had a lawsuit with
8 the, with the county. I went through it, um, the
9 administration like I said, HR and legal and, um,
10 nobody listened.

11 Q. Why did you think based off of his bring-
12 ing us to against the county; why was he in the best
13 position?

14 A. Again it was it's a lawsuit, uh, you know.
15 It would, it would be brought to light for people
16 outside the DOC to see.

17 Q. And it was a lawsuit regarding intake that
18 involved intake procedures?

19 MR. MANSOUR: Objection to the form, you
20 can answer if you understand.

21 THE WITNESS: Yes.

22 BY MS. GRIESER:

23 Q. And it was a lawsuit that involved the
24 death of a former inmate, inmate Patterson?

25 A. Yes.

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1 Q. Caused by -- I don't know if he's still an
2 inmate but another inmate, Rhoades, who was able to
3 successfully bring contraband into the facility?

4 A. That's one of the factors, yes.

5 Q. What other factors?

6 A. Again, if Ulmer hadn't been pulled and she
7 doesn't let him go back into the dirty cell, he
8 never retrieves his drugs.

9 Q. And you told Mr. Zeiger that her being
10 pulled was a, you believed a violation of instituti-
11 onal policy?

12 A. Correct.

13 Q. All right. I'm going to show you, and
14 I'll take that back from you. We'll label this as
15 D-9, you can take a quick glance through the entire
16 thing. I'll tell you, I want to draw your attention
17 to Paragraph 1 back up. Let me know when you're
18 ready.

19 (Whereupon Exhibit No. D-9 was so marked for
20 identification being public information and education.)

21 BY MS. GRIESER:

22 Q. This is this policy it's Policy A-1.8,
23 Public Information and Education beginning, begin-
24 ning at COB093 it's a three-page document.

25 A. Okay.

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1 Q. You see in Paragraph 1 Echo where it says,
2 "State and federal confidentiality guidelines will
3 always be followed"?

4 A. Yes.

5 Q. And it also states that, "Staff who are
6 designated to, to speak on behalf of who are -- who
7 are allowed to speak on behalf of the Bucks County
8 Confinement Facility may not provide any specific
9 information about a particular prisoner," do you see
10 that?

11 A. Designated by the director to speak to the
12 press?

13 Q. Mm-hmm.

14 A. Yes, yes, I see that.

15 Q. And it states, "This will ensure that our
16 confidentiality responsibilities are adhered to"?

17 A. Yes.

18 Q. So even if the director of the prison al-
19 lowed you to speak to the press, even then you are
20 not allowed to give out any specific information
21 about a particular prisoner, correct?

22 A. Yes.

23 Q. "The state and federal confidentiality
24 guidelines will always be followed." Are you fami-
25 liar with CHRIA the Criminal History Record Infor-

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1 mation Act?

2 A. Yes.

3 Q. And why are you familiar with that?

4 A. Because we've been trained in CHRIA.

5 Q. And you'd agree with me that CHRIA cur-
6 tails a lot of information that may be released to
7 third parties, right?

8 A. Yes.

9 Q. And that would include specific informa-
10 tion especially -- hold on, let me, let me correct
11 that.

12 CHRIA outlines what information can be
13 released to other law enforcement agencies in part,
14 correct?

15 A. Correct.

16 Q. And it also outlines what if any informa-
17 tion can be given out to any non-law enforcement
18 agencies, correct?

19 A. Correct.

20 Q. And you'd agree with me that specific in-
21 formation regarding a named individual committing a
22 crime, that should -- that should be forbidden from
23 being disseminated per CHRIA, correct?

24 A. I disagree.

25 Q. Okay, why?

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1 A. It's, it's in the title, it's Criminal
2 History Records Information Act. You have to have
3 been charged with a crime, it has to be on your cri-
4 minal history for you not to be allowed to talk
5 about it.

6 Q. Okay. And you'd agree with me that he,
7 that Mr. Rhoades was charged with a crime?

8 A. I did not talk about the crime he was
9 charged with, and he was not charged with the crime
10 in relation to Patterson at the time.

11 Q. So it's your testimony that somebody has
12 to be -- That it's okay to give, give out informa-
13 tion of a potential charge of a crime; is that
14 right?

15 A. I'm saying it doesn't fall under CHRIA.

16 Q. So it's not okay to give out information
17 about a potential crime?

18 MR. MANSOUR: Objection to form.

19 THE WITNESS: Is this in relation to
20 CHRIA, or are you talking in general?

21 BY MS. GRIESER:

22 Q. To CHRIA right now.

23 A. CHRIA is Criminal History Records Informa-
24 tion, right, he was not charged with a crime in re-
25 lation to this at the time.

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1 Q. Okay. And it's your, your testimony that
2 it is okay to give out per CHRIA, you can divulge
3 information related to a potential charge?

4 A. I'm saying CHRIA doesn't address that.

5 Q. All right, I can take that back from you.
6 And you were also charged with -- I'm sorry, your
7 termination was partially based off of some HR poli-
8 cies as well, correct?

9 A. Yes.

10 MS. GRIESER: This should be the last.

11 (Discussion off the record.)

12 MS. GRIESER: All of them, were all of the
13 policies already entered?

14 MR. MANSOUR: We did it the last time,
15 right, so --

16 MS. BURNS: I, I can tell you, hold on one
17 second.

18 MR. MANSOUR: P-8?

19 MS. BURNS: P-6.

20 MS. GRIESER: P-6?

21 MS. BURNS: P-6, the entire HR policy.

22 MS. GRIESER: I'm sorry, one more time it
23 was P --

24 MR. MANSOUR: Six.

25 BY MS. GRIESER:

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1 Q. P-6, all right. I'm showing you a portion
2 of the human resource, the Bucks County Confinement
3 Facility's human resources policy there now, and I'm
4 looking for the record what portion. COB0306, 0307,
5 0308, 0309 and 0310; go ahead and take a look at
6 that.

7 A. Okay.

8 Q. And you were in part terminated for viola-
9 ting Number 59, giving confidential county informa-
10 tion to other individuals, organizations or to auth-
11 orized or -- excuse me, to unauthorized county emp-
12 loyees, do you see that?

13 A. Yes.

14 Q. And do you believe that the information
15 that you gave to Mr. Zeiger was not confidential?

16 A. No.

17 Q. Why not?

18 A. I mean he saw the video, he had the infor-
19 mation.

20 Q. Okay. And then also failure to abide by
21 the county established code of conduct at Number 63?

22 A. Yes.

23 Q. And here's, I'm also going to hand you
24 this as well. So if you can read part of that exhi-
25 bit Bates stamped 0245, and can you read that por-

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1 tion of that.

2 MR. MANSOUR: Yeah, I think he's already
3 got it, he's already here.

4 THE WITNESS: Yeah.

5 MS. GRIESER: Oh, he does, oh, okay.

6 THE WITNESS: Yeah.

7 BY MS. GRIESER:

8 Q. I'm sorry, I don't remember seeing forty-
9 five, thank you. Okay. Do you see confidentiality?

10 A. Yes.

11 Q. Number 1 that's the --

12 A. Yes.

13 Q. -- under the code of conduct for all emp-
14 loyees of the county, correct?

15 A. Yes, ma'am.

16 Q. And it states, "Respect and to maintain
17 the confidentiality of information gained as an emp-
18 loyee including but not limited to computer software
19 files, county related documents, printouts that con-
20 tain confidential information."

21 And you agree that you learned this in-
22 formation as part of your job?

23 MR. MANSOUR: Objection to form, you can
24 answer.

25 THE WITNESS: Yes.

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1 BY MS. GRIESER:

2 Q. You mentioned that Mr. Zeiger had seen the
3 video?

4 A. Yes.

5 Q. How do you know that?

6 A. I believe he said he did.

7 Q. Were you present when Mr. Rhoades came
8 through intake?

9 A. I don't know.

10 Q. You don't know?

11 A. I don't know.

12 Q. So how did you learn of the details of
13 this that you shared with Mr. Zeiger?

14 A. Well, any time there's contraband in the
15 facility I check, there was a reception unit to make
16 sure proper procedures were followed.

17 Q. You check what, I'm sorry?

18 A. To, to make sure proper procedures were
19 followed.

20 Q. So what do you check to find out if proper
21 procedures were followed?

22 A. I'm sorry?

23 Q. What do you -- How, how do you look up
24 whether proper procedures were followed or not?

25 A. I review video, um, look at documents,

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1 whatever, whatever's involved.

2 Q. So this you reviewed the video and docu-
3 ments, this was part of an ongoing investigation,
4 correct?

5 A. I believe so.

6 Q. Between the special investigations unit at
7 the jail --

8 A. Yes.

9 Q. -- and the county detectives as well?

10 A. I don't know if the county detectives were
11 involved, but they could've been.

12 Q. How would you have gotten access to this
13 information? 'Cause if the video and the docu-
14 ments --

15 A. All of the lieutenants have access to
16 that.

17 Q. Would, this would have been kept in the
18 investigative files, correct?

19 A. No, not necessarily, no.

20 Q. So what did you access to find the video?

21 A. The, our video system, like I said all
22 lieutenants have access to that.

23 Q. And what about your review of documents?

24 A. That was just to make sure that you know,
25 the inmates were committed properly, we, we had eve-

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1 rything. You know they were, uh, they were supposed
2 to be held there legally.

3 Q. So those were the documents you reviewed,
4 Mr. Rhoades' intake documents?

5 A. I believe so.

6 Q. What other documents?

7 A. Inmate Patterson, any, any memos that were
8 written about the incident.

9 Q. Where did you access those from?

10 A. Um, they were on -- I'm not sure if they
11 were on the X drive.

12 Q. We, we talked about what servers or drives
13 that you had access to report, and you told me that
14 you don't have --

15 You don't keep any training materials or
16 documents --

17 A. I was going to --

18 Q. -- in the filing system?

19 A. Yeah, I get -- I don't, no.

20 Q. So you have access to the X drive?

21 A. Yes.

22 Q. And what's kept on the X-drive?

23 A. Of various items I don't, I don't remember
24 specifically now.

25 Q. Like so what other drives did you have

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1 access to?

2 A. The H drive that's your personal drive.

3 Q. What, what do you keep in there?

4 A. Any memos I wrote the, the documents that
5 were important.

6 Q. So earlier you said that you didn't keep
7 anything?

8 A. I said I didn't keep training.

9 Q. Or any other materials? I specifically
10 asked about training and other materials.

11 A. I thought you just said training. I
12 thought you were just referring to training, 'cause
13 that's what we were talking about was training.

14 Q. You're aware that there, there was an on-
15 going investigation in this case, yes?

16 A. I'm sorry?

17 Q. You're aware that there was an ongoing in-
18 vestigation in this case?

19 A. Yes.

20 Q. Are you familiar with the Right to Know
21 Act?

22 A. Not particularly.

23 Q. You as the records officer, I'd imagine
24 that you would get requests for records on occasion?

25 A. That those go to the administration build-

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1 ing.

2 Q. So have you ever been asked to pull docu-
3 ments for a right to know request?

4 A. Sure.

5 Q. Do you believe the details of an ongoing
6 investigation would be confidential or sensitive?

7 A. Yes, potentially.

8 Q. What about at the time you contacted Mr.
9 Zeiger, there was an ongoing investigation, corr-
10 ect, or there had been?

11 A. There had been, I don't think there was an
12 ongoing one now.

13 Q. In that case do you believe that the in-
14 vestigation would've been confidential or sensitive?

15 A. No, I do, I do not.

16 Q. You don't, all right. No investigatory
17 materials would be confident or sensitive?

18 A. I believe at the time he was charged, I
19 think the facts of the case were out there.

20 Q. Okay. Well, earlier you said that you
21 didn't believe CHRIA applied because it was history.

22 Now you're saying that this, that this in-
23 vestigation was in the past, correct?

24 A. Yes.

25 Q. Okay. So is it your testimony now that

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1 CHRIA does apply?

2 A. I don't, I -- okay, let me think. I'm
3 trying to remember when he got -- Do you know when
4 he got charged?

5 Q. I do not.

6 A. Okay. I don't either.

7 Q. So if there was an ongoing investiga-
8 tion --

9 A. Yes.

10 Q. -- at the time into, into Mr. Patterson's
11 death --

12 A. Yes.

13 Q. -- at the time you contacted Mr. Zeiger --

14 A. Mm-hmm.

15 Q. Yes?

16 A. Yes.

17 Q. That would be confidential or sensitive
18 information, correct?

19 A. Yes.

20 Q. And if the investigation was in the past,
21 that would fall under CHRIA, correct?

22 A. Yes.

23 Q. So either way you know that you were vio-
24 lating a policy or a law?

25 A. Yes.

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1 MS. GRIESER: Just give me one second, can
2 we go off the record.

3 (Break off the record.)

4 MS. GRIESER: I just have a few quick ad-
5 ditions, we're going to mark this as Delta-10,
6 11 --

7 THE REPORTER: Ten yes.

8 BY MS. GRIESER:

9 Q. Which one do you have there in front of
10 you?

11 A. I'm sorry, 6, this is P-6.

12 MR. MANSOUR: P-6, but we're up to D-10.

13 MS. GRIESER: D-10.

14 THE WITNESS: Do you want this back?

15 MS. GRIESER: Yes, I'll --

16 (Whereupon Exhibit No. D-10 was so marked for
17 identification being a certificate of CLEAN completion.)

18 BY MS. GRIESER:

19 Q. Go ahead and take a look at that, what is
20 that?

21 A. It's the CLEAN certificate.

22 Q. And you said that the investigator Onisick
23 was in charge of that certification; is that right?

24 A. Mm-hmm.

25 Q. Yes?

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1 A. Yes, ma'am.

2 Q. And this allows you to run inmates through
3 NCIC to get their criminal history records?

4 A. Yes.

5 Q. And to use CLEAN and JNET, correct?

6 A. Yes.

7 Q. And in this certification it does cover
8 security awareness, right?

9 A. Yes.

10 Q. As what is security sensitive and what's
11 not?

12 A. Yes.

13 Q. And this is separate from your CJIS certi-
14 fication that you and other, that lieutenants and
15 sergeants complete yearly?

16 A. I don't know about the CJIS one, yes, but
17 this is separate.

18 Q. Okay, that's separate. So you did have a
19 valid certificate saying that you were trained to,
20 trained to be authorized to go through CLEAN and
21 JNET, NCIC, correct?

22 A. Uh, yes, but here's the distinction it's I
23 never had a CLEAN login. I never got a -- Like I
24 said CLEAN is a physical system, my JNET I couldn't
25 -- My JNET was issued so I never used CLEAN 'cause

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1 you had to have a -- You had to have a CLEAN login,
2 I never got a CLEAN login.

3 Q. Okay. But this certification allows you
4 to use JNET?

5 A. Yeah, it allows me it doesn't -- yes, yes,
6 it does.

7 Q. And NCIC?

8 A. CLEAN yes.

9 MS. GRIESER: Okay, all right. Thank you,
10 I have nothing further.

11 --- EXAMINATION ---

12 BY MR. MANSOUR:

13 Q. I have just a few questions for you, Mr.
14 Kimbrough. In terms of the discipline that you re-
15 ceived following the bullying investigation that was
16 discussed, did you learn about the discipline you
17 were receiving before or after your call with Attny.
18 Zeiger?

19 A. After my call.

20 Q. Besides, you referenced on your direct
21 testimony that you had made a number of complaints
22 to human resources, to the DOC and to the law dep-
23 artment about understaffing in the jail; is that
24 correct?

25 A. Yes, sir.

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1 Q. Did you complain to any of those parties
2 about anything else?

3 A. Yes, sir, I did.

4 Q. What specifically?

5 A. Um, I believe, um, especially with newer
6 employees, people of color, um, foreign born people
7 and women were being given undesirable posts on a
8 frequent basis not consistent with our procedures
9 and, and not consistent with other newer employees.
10 I complained about, uh, inappropriate relationships
11 with sergeants and female staff members, um, and I
12 com -- I complained about laundry issues where peo-
13 ple weren't having towels, socks or underwears for
14 weeks at a time.

15 Q. Do you recall anybody specifically that
16 you made those complaints to?

17 A. Yes, to Capt. Nottingham, to Dep. Supt.
18 Contino, uh, and Supt. Metellus on a frequent basis.
19 And then I also, I went in Dep. Supt. Reed and then
20 also -- I had also reported to Dep. Dir. Coyne and
21 Dir. Kratz as well.

22 Q. Did you make those complaints before the
23 county began investigating you for alleged bullying?

24 A. Yes, sir.

25 Q. Do you recall any of the particular -- You

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1 referenced before about inappropriate relationships
2 that sergeants were having with subordinates?

3 A. Yes.

4 Q. Do you recall specifically who those serg-
5 eants were that you complained about?

6 A. Yes, sir.

7 Q. Who were they?

8 A. Sgt. Jurgelewicz, Sgt. Beck, Sgt. Patel,
9 those were at least a few of them and Sgt. Bueller.

10 MR. MANSOUR: The investigative report was
11 that P-8, P-7, which one is that?

12 MS. GRIESER: The bullying investigative
13 report?

14 MR. MANSOUR: Yes.

15 MS. GRIESER: That's P-7.

16 MR. MANSOUR: P-7, can I, can I see that.
17 Do you have --

18 BY MR. MANSOUR:

19 Q. So I just want to make sure 'cause you
20 said one of the sergeants that you complained about
21 in terms of having inappropriate relationships with
22 subordinates was Sgt. Jurgelewicz?

23 A. That's correct.

24 Q. I want to turn your attention to the sec-
25 ond page here of P-7, this is the again the investi-

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1 gative report regarding the bullying and hostile
2 work environment complaint against you. Could you
3 just begin reading starting on this paragraph here
4 on the end of the second page into the third page.

5 A. Sure. "It was determined that Sgt. Jurge-
6 lewicz was the sergeant running shift during the
7 first incident referenced in the anonymous comp-
8 laint. In his interview Lt. Kimbrough admitted say-
9 ing" --

10 THE REPORTER: I'm sorry, could you just
11 slow down.

12 THE WITNESS: I'm sorry, I'm sorry. I'll
13 start over it was --

14 THE REPORTER: You don't have to start
15 over, you can just continue.

16 THE WITNESS: Okay. "Lt. Kimbrough admit-
17 ted saying 'Are you fucking with me'. However,
18 he denied saying 'because I will fuck with
19 you'. From the various sergeant interviews Lt.
20 Kimbrough's outbursts occurred in the serg-
21 eant's office, was directed towards Sgt. Jurge-
22 lewicz and was witnessed by multiple other ser-
23 geants including Sgt. Murphy. Witnesses con-
24 firmed that Lt. Kimbrough did say 'because I
25 will fuck with you'. Given the number of wit-

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1 nesses who corroborate Lt. Kimbrough's remark
2 that he would, quote, 'fuck with Sgt. Jurgele-
3 wicz', the majority report was deemed more cre-
4 dible than Lt. Kimbrough's general denial."

5 BY MR. MANSOUR:

6 Q. Based on that is it your understanding
7 that Sgt. Jurgelewicz was one of the individuals who
8 complained about bullying from you?

9 A. Yes, sir.

10 Q. Sgt. Patel was another person you indica-
11 ted you had complained about?

12 A. Yes, sir.

13 Q. And Sgt. Patel was another person you had
14 claimed was having inappropriate relationships with
15 subordinates?

16 A. Yes, sir.

17 Q. Could you continue reading that, please.

18 A. Sure. "Sgt. Patel reported in his inter-
19 view that Lt. Kimbrough recently verbally attacked
20 him when he was running shift. On that specific day
21 a use of force incident occurred, and Sgt. Patel
22 made the judgment call to pull one of the officers
23 assigned to reception to respond specifically be-
24 cause they were SRT certified. Afterwards Lt. Kim-
25 brough called the sergeant's office and asked Sgt.

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1 Patel if he was fucking" -- excuse me -- quote,
2 "fucking stupid".

3 "Sgt. Patel expressed that this comment
4 was particularly troubling as he was compelled to
5 make a tough choice in the heat of an emergency, but
6 still believed he made the correct decision in the
7 end. This type of Monday morning quarterbacking is
8 dangerous because it prompts the decision maker to
9 doubt their choices in critical moments potentially
10 resulting in crucial seconds being lost, seconds
11 that could make the difference between life and
12 death."

13 Q. Based on the, what you just read is it
14 your understanding that Sgt. Patel was another indi-
15 vidual who had complained about bullying behavior by
16 you?

17 A. Yes, sir.

18 Q. Do you believe that their complaints to HR
19 and HR's subsequent investigation of their comp-
20 lains was retaliatory?

21 A. Yes, sir.

22 Q. Why do you believe that?

23 A. Because I was -- Again I was making these,
24 um, making these complaints to my supervisors, and
25 I'm sure it got back to them that this was going on,

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1 and this was their way to get at me.

2 Q. And just to be clear, Sgt. Jurgelewicz and
3 Sgt. Patel were two individuals that you specifical-
4 ly named and complained about to your supervisors?

5 A. Yes, sir.

6 Q. During your conver -- Did, besides the May
7 30th telephone conversation that you had with Attny.
8 Zeiger, did you have any other conversations with
9 Attny. Zeiger regarding the Rhoades incident?

10 A. No, sir.

11 Q. During that single telephone conversation
12 that you had with Attny. Zeiger, did you divulge to
13 him the details of Bucks County DOC intake proced-
14 ures?

15 A. No, sir.

16 Q. Did you disclose to him Bucks County SOPs?

17 A. No, sir.

18 Q. Did you give him any documents?

19 A. No, sir.

20 Q. Did you, you had referenced that you bel-
21 ieved Ofcr. Ulmer had violated policy by not secur-
22 ing the dirty cell, correct?

23 A. Yes, sir.

24 Q. Did you disclose to him the policy that
25 you believe he violated?

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1 A. No, sir.

2 Q. Did you give him a copy of that policy to
3 the extent it was written?

4 A. No, sir.

5 Q. Did you disclose to Attny. Zeiger any in-
6 formation about the investigation into Mr. Rhoades?

7 A. No, sir.

8 Q. Did you disclose to Zeiger Rhoades' past
9 incarceration dates?

10 A. No, sir.

11 MR. MANSOUR: D-8, what was D-8? 283?

12 MS. GRIESER: Department vision, mission
13 and values, code of ethics.

14 MR. MANSOUR: Yes.

15 BY MR. MANSOUR:

16 Q. Okay. So you were asked on examination by
17 Attny. Grieser about some questions about D-8 which
18 is the department of corrections' vision, mission,
19 values and code of ethics?

20 A. Yes, sir, yes, sir.

21 Q. And she directed your attention to the
22 second page under the core values list, and it looks
23 like there are six different bullet points that are
24 listed there?

25 A. Yes, sir.

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1 Q. Do you believe that institutional security
2 of the jail was maintained on the day Rhoades snuck
3 contraband into the prison?

4 A. No, sir.

5 Q. Did you believe that Rhoades' conduct
6 threatened the institutional security of the priva
7 -- of the prison?

8 A. Yes, sir, absolutely.

9 MR. MANSOUR: I have no further questions.

10 MS. GRIESER: I just have a few I'll ask,
11 okay.

12 --- EXAMINATION ---

13 BY MS. GRIESER:

14 Q. Okay. So Attny. Mansour was talking to
15 you about other stuff that you had reported up the
16 chain? Some issues --

17 A. Yes.

18 Q. -- about people of color or foreign, for-
19 eign born; is that what you said?

20 A. Yes, foreign born.

21 Q. Were getting undesirable posts frequently
22 and --

23 A. Yes, ma'am.

24 Q. And you complained about inappropriate re-
25 lationships?

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1 A. Yes, ma'am.

2 Q. And laundry issues?

3 A. Yes, ma'am.

4 Q. You didn't have any fear of retaliation
5 from, from reporting those issues?

6 A. Again, I didn't go outside the chain of
7 command when reporting those.

8 Q. Now, you said that you believe that
9 Rhoades' conduct threatened institutional security;
10 is that correct?

11 A. Yes, ma'am.

12 Q. And you described Rhoades' conduct to Mr.
13 Zeiger; is that right?

14 A. I, I gave a general overview of what hap-
15 pened. I don't, I don't know if I described his --

16 Q. His what?

17 A. His, his, his conduct. I just said he was
18 able to go back in and retrieve the, the contraband.

19 Q. But you did report to Mr. Zeiger that you
20 believed Ulmer violated policy?

21 A. Yes.

22 Q. And you said you watched the video?

23 A. Yes.

24 Q. So in watching the vul -- the video you
25 see, you see Ulmer, correct?

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1 A. Yes, ma'am.

2 Q. Atiles?

3 A. You, he's not really visible but yes,
4 he's, he's there.

5 THE REPORTER: Excuse me, you said Patil-
6 les?

7 MS. GRIESER: Atiles.

8 THE WITNESS: Atiles, A-T-I-L-E-S.

9 BY MS. GRIESER:

10 Q. And CO Fabian, Fabiani was also there?

11 A. I don't recall him being there, he is not
12 a reception officer, though.

13 Q. And you saw when CO Ulmer was pulled away,
14 correct?

15 A. Yes.

16 Q. And she was responding to a Code 99?

17 A. That's not correct.

18 Q. She doesn't pick up the phone right before
19 she leaves, does she?

20 A. Yes.

21 Q. So since you watched the video, you also
22 saw Timothy Travis talking to CO Ulmer right before
23 she left?

24 A. Yes.

25 Q. And he works in records?

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1 A. Yes, he was at -- I believe he was at the
2 door, and he left before she left.

3 Q. They left at the same time?

4 A. Yes.

5 Q. You agree that CO, CO, CO Travis --

6 A. Mm-hmm.

7 Q. That CO Travis should've stayed since
8 Ulmer got pulled?

9 A. No, no, he doesn't make that, that --
10 Well, one, he didn't know, I don't think he knew she
11 got pulled. She didn't tell him she got pulled, she
12 got the order and she just left.

13 Q. But he's a records officer?

14 A. Yes.

15 Q. And we talked about how the policy states
16 that records officers should be ready and able to
17 take on any role in reception, correct?

18 A. No, that's not true. Records officers
19 should be if they're cleared in reception, yes.

20 Q. And CO Travis was cleared in reception?

21 A. Yes.

22 Q. So he should've been prepared to take
23 over --

24 A. He, he wasn't --

25 Q. -- the front; is that right?

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1 A. He wasn't, no, he was not informed that
2 that there was a need for him to be there.

3 Q. But you described what you saw on the vid-
4 eotape as accurately as you could remember to Mr.
5 Zeiger?

6 A. Yes.

7 MS. GRIESER: I have nothing more.

8 MR. MANSOUR: I just have one followup.

9 --- EXAMINATION ---

10 BY MR. MANSOUR:

11 Q. Did you disclose to Attny. Zeiger why
12 Ulmer had been pulled from the records unit?

13 A. No.

14 MR. MANSOUR: No further questions.

15 ---

16 (Witness excused.)

17 (Deposition ended at 2:27 p.m.)

18 (Transcript ordered by Ms. Grieser and Mr.
19 Mansour.)

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C E R T I F I C A T E

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I, Ted Allen, Certified Reporter, Notary Public,
Montgomery County, Pennsylvania, do hereby certify that
ARA KIMBROUGH was first duly sworn to testify to the whole
truth, and that the above deposition was recorded
stenographically by me and was transcribed by means of
computer-aided transcription under my personal direction,
and that the said deposition constitutes a true record of
the testimony given by said witness.

I further certify that I am not a relative or
employee or attorney of any of the parties, or a relative or
employee of such attorney, or financially interested
directly or indirectly in this action.

Ted Allen vmg

TED ALLEN, CERTIFIED
REPORTER, NOTARY PUBLIC
MY COMMISSION EXPIRES 9/4/2027

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